

**DRAFT**

MINUTES OF THE CITY COUNCIL  
OF THE  
CITY OF GREENSBORO, N. C.

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Earl F. Jones, Robert V. Perkins, Thomas M. Phillips, Donald R. Vaughan and Nancy Vaughan. Absent: Yvonne J. Johnson, excused by action of Council. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Juanita F. Cooper, City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Kathy Goodwin, employee in the MIS Department, who served as courier for the meeting.

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The Mayor explained the Council procedure for conduct of the meeting.

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Councilmember Carmany moved that Councilmember Johnson be excused from attendance at this meeting. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of Council.

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The Mayor advised staff had requested that Item # 18, resolution rescinding resolution authorizing water, sanitary sewer and paving improvements in Savoy Lane from Guilford College Road to Dead End be deleted from the Consent Agenda. Councilmember Burroughs-White moved that the item be deleted. The motion was seconded by Councilmember D. Vaughan and adopted unanimously by voice vote of Council.

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Mayor Holliday stated that this was the time and place set to consider an Ordinance annexing territory to the corporate limits located on Grandover Plat 30, Section 6-8, Parcel E – 2.182 acres.

After brief comments by C. Thomas Martin, Planning Department Director, the Mayor asked if anyone wished to be heard.

There being no one desiring to speak to this matter, Councilmember D. Vaughan moved to close the public hearing. The motion was seconded by Councilmember Burroughs-White and adopted unanimously by voice vote of Council. Councilmember Jones thereupon moved adoption of the ordinance. The motion was seconded by Councilmember Perkins; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-129 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON  
GRANDOVER PLAT 30, SECTION 6-8, PARCEL E – 2.182 ACRES)

Section 1. Pursuant to G.S. 160A-58.1 the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point on the southern right-of-way of Creswell Court (private street), said point having N.C. grid coordinates as follows: N = 819,608.99 E = 1,740,911.04; THENCE with the southern right-of way of Creswell Court South 38 degrees 16 minutes 16 seconds West for a distance of 84.00 feet to a point; THENCE with the southern right-of-way of Creswell Court along a curve to the right having a radius of 345.00 feet and an arc length of 97.61 feet, being subtended by a chord of South 46 degrees 24 minutes 54 seconds West for a distance of 97.28 feet to a point in the existing Greensboro city limits (as of April 30, 2001); THENCE with the existing city limits crossing Creswell Court North 35 degrees 35 minutes 08 seconds West for a distance of 50.01 feet to a point; THENCE with the northern right-of-way of Creswell Court along a curve to the right having a radius of 294.99 feet and an arc length of 47.96 feet, being subtended by a chord of South 59 degrees 04 minutes 19 seconds West for a distance of 47.91 feet to a point; THENCE with the northern right-of-way of Creswell Court South 63 degrees 43 minutes 46 seconds West for a distance of 170.80 feet to a point; THENCE with the northern right-of-way of Creswell Court South 63 degrees 43 minutes 46 seconds West for a distance of 138.95 feet to a point; THENCE with the northern right-of-way of Creswell Court along a curve to the left having a radius of 344.70 feet and an arc length of 50.53 feet, being subtended by a chord of South 59 degrees 32 minutes 46 seconds West for a distance of 50.48 feet to a point; THENCE North 38 degrees 58 minutes 35 seconds West for a distance of 114.49 feet to a point; THENCE North 04 degrees 17 minutes 02 seconds West for a distance of 47.05 feet to a point; THENCE North 32 degrees 43 minutes 43 seconds East for a distance of 137.12 feet to a point; THENCE North 61 degrees 22 minutes 49 seconds East for a distance of 49.52 feet to a point; THENCE South 55 degrees 50 minutes 51 seconds East for a distance of 109.06 feet to a point; THENCE North 63 degrees 23 minutes 52 seconds East for a distance of 71.73 feet to a point; THENCE departing from the existing city limits North 38 degrees 25 minutes 30 seconds East for a distance of 178.57 feet to a point; THENCE South 48 degrees 54 minutes 12 seconds East for a distance of 178.07 feet to a point on the northern right-of-way of Creswell Court; THENCE with the northern right-of-way of Creswell Court North 38 degrees 16 minutes 16 seconds East for a distance of 53.36 feet to a point; THENCE crossing Creswell Court South 51 degrees 43 minutes 44 seconds East for a distance of 50.00 feet to the POINT AND PLACE OF BEGINNING containing 2,182 acres more or less.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after August 31, 2001, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 10/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after August 31, 2001.

(Signed) Earl Jones

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Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution authorizing on the basis of public necessity paving, curb and gutter improvements on Caldwell Street from Vance Street to Occident Street. The Mayor asked if anyone wished to speak to this matter.

Russell W. Barrett, residing at 610 Glover Street in Arlington Park, spoke to the continued rehabilitation of this area, stated this action would be an asset to the continued development of the Village at Arlington Park and the surrounding neighborhood, would benefit local businesses, and requested Council to approve the resolution.

Councilmember Perkins reiterated his position expressed in previous Council meetings regarding the City's purchase of area property for a higher price than the amount charged by Housing Partnership when those same properties were sold to a for-profit developer for housing development in this neighborhood. In response to Councilmember Perkins' inquiry, Andy Scott, Housing and Community Department Director, advised that the lots in Phase II of the Development of the Village at Arlington Park must be sold for the same price as the lots in Phase I. Council discussed with Mr. Scott and Dan Curry of the Housing and Community Development Department, various and opinions with respect to Councilmember Perkins' concerns, the overall process used to purchase and market these properties, the availability of property in the area, the fact that the proposed development was not portrayed as an affordable housing subdivision, the history of the Arlington Park Neighborhood project and the desire to move forward with development, and the opinion of some members of Council that the sale of these properties to the private sector should be more profitable for the City.

After lengthy discussion, Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Vaughan and Vaughan. Noes: Perkins and Phillips.

C-256 RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS

CALDWELL STREET FROM VANCE STREET TO OCCIDENT STREET

WHEREAS, due notice has been given that on the 5th day of June, 2001 at 6:00 p.m. in the Council Chamber in the Municipal Office Building a public hearing would be held on the improvements hereinafter described and that all objections to the legality of the making of the improvements are required by law to be made in writing, signed in person or by attorney, and filed with the City Clerk at or before the time of the public hearing; and

WHEREAS, the public hearing has now been held and no objections have been made to the making of the improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

A. That the street or streets hereinabove set out is/are

CALDWELL STREET FROM VANCE STREET TO OCCIDENT STREET

B. That the local improvements to be made on the street or streets set out above are as follows:

- (a) Roadway Improvements. The street or streets hereinabove named within the limits defined to be widened on both sides with stone base asphaltic concrete surface, the widening to include grading, construction of storm sewers and necessary laterals, incidental to the improvements.

C. That the proportion of the cost of the improvements to be assessed against the abutting property and the terms of payment will be as provided in the Notice of Public Hearing which was served on the owners of the property to be assessed.

D. That this resolution be published one time in a newspaper published in the City of Greensboro as notice of the matters herein set out.

(Signed) Claudette Burroughs-White

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution authorizing the filing and execution, as appropriate of Federal Transit Administration (FTA) and North Carolina Department of Transportation (NCDOT) grant applications, grant agreements, annual or biennial applications, annual budgets, and other such documents, as appropriate, pursuant to relevant sections of the Federal Transit Administration Transportation Equity Act for the 21<sup>st</sup> Century (TEA 21), as amended. Mayor Holliday asked if anyone wished to be heard.

After a brief explanation by the City Manager and there being no one present desiring to speak to this matter, Councilmember D. Vaughan moved to close the public hearing. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council. Councilmember D. Vaughan thereupon moved that the resolution be adopted. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

117-01 RESOLUTION AUTHORIZING THE FILING AND EXECUTION, AS APPROPRIATE, OF FEDERAL TRANSIT ADMINISTRATION (FTA) AND NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) GRANT APPLICATIONS, GRANT AGREEMENTS, ANNUAL OR BIENNIAL APPLICATIONS, ANNUAL BUDGETS, AND OTHER SUCH DOCUMENTS, AS APPROPRIATE, PURSUANT TO RELEVANT SECTIONS OF THE FEDERAL TRANSIT ADMINISTRATION TRANSPORTATION EQUITY ACT FOR THE 21<sup>ST</sup> CENTURY (TEA 21), AS AMENDED.

WHEREAS, the Federal Transit Administration under the Transportation Equity Act for the 21<sup>st</sup> Century (TEA 21), provides Federal funds to support public transportation services;

WHEREAS, the North Carolina Department of Transportation will apply and receive grants from the U.S. Department of Transportation through the Federal Transit Administration; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for planning, operating and capital assistance projects in the provision of public transportation services; and

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation as the agency responsible for administering funds received through the Federal Transit Act of 1991; and

WHEREAS, the contracts for financial assistance will impose certain obligations upon the City of Greensboro; including the provision of the local project costs; and

WHEREAS, it is required by the U.S. Department of Transportation and the North Carolina Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the TEA 21, as amended, the City of Greensboro, as applicant, gives assurance that it will comply with Title IV of the Civil Rights Act of 1964 and other pertinent directives and the U.S. Department of Transportation and the North Carolina Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the City of Greensboro, as an applicant, that Disadvantaged Business Enterprises (DBEs) be utilized to the fullest extent possible in connection with the project, and that definitive procedures shall be established and administered by the City of Greensboro as applicant to ensure that DBEs shall have the maximum feasible opportunity to compete for contracts and purchase orders when procuring construction contracts, supplies, equipment contracts, or consultant or other services; and

WHEREAS, the City of Greensboro hereby assures and certifies that it will comply with the Federal Statutes, regulations, executive orders, the Section 5333(b) Labor Protection requirements, and all administrative requirements which relate to the applications made to and grants received from the Federal Transit Administration; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF GREENSBORO:

1. That the City of Greensboro is authorized to file and execute FTA and NCDOT Grant Agreements, Annual or Biennial Applications, Annual Budgets, and other such documents, as appropriate, on behalf of the City of Greensboro with the North Carolina Department of Transportation and the Federal Transit Administration, to aid in the financing of public transportation services as described therein.
2. That the City of Greensboro is authorized to file and execute with such FTA and NCDOT Grant Agreements, Annual or Biennial Applications, Annual Budgets, and other such documents, as appropriate, and any assurance or any other documents required by the FTA and NCDOT effectuating the purposes of such FTA and NCDOT Grant Agreements, Annual and Biennial Applications, Annual Budgets, and other such documents, as appropriate.
3. That the City of Greensboro is authorized to furnish such additional information as the Federal Transit Administration and the North Carolina Department of Transportation require in connection with such FTA and NCDOT Grant Agreements, Annual and Biennial Applications, Annual Budgets, and other such documents, as appropriate.
4. That the City of Greensboro is authorized to set forth and execute Disadvantaged Business Enterprise (DBE) policies and procedures in connection with all procurement needs associated with such FTA and NCDOT Grant Agreements, Annual or Biennial Applications, Annual Budgets, and other such documents, as appropriate.
5. That the City of Greensboro is authorized to execute grant agreements on behalf of the City of Greensboro with the Federal Transit Administration and the North Carolina Department of Transportation to aid in the financing and effectuating of the purposes of such FTA and NCDOT Grant Agreements, Annual or Biennial Applications, Annual Budgets, and other such documents, as appropriate.

(Signed) Donald R. Vaughan

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The Mayor noted that Item 18 had been deleted from the Consent Agenda earlier in the meeting. After brief discussion with respect to the ordinance amending the Code with regard to Massage and Bodywork Therapy, Councilmember D. Vaughan moved adoption of the Consent Agenda, as amended. The motion was seconded by Councilmember Carmany; the amended Consent Agenda was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

#### 01-130 AMENDING CHAPTER 13

##### AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO LICENSE, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS

##### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Section 13-103 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 13-103. Pawnbrokers.

Every person engaged in and conducting the business of lending or advancing money or other things of value for a profit, and taking as a pledge for such loan specific articles of personal property, to be forfeited if payment is not made within a definite time shall be deemed a pawnbroker, and shall pay an annual license tax of ~~one hundred dollars (\$100.00)~~ **two hundred seventy five dollars (\$275.00)**.

Section 2. That all ordinances in conflict with the provision of this ordinance are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall be effective upon ratification.

(Signed) Donald R. Vaughan

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01-131 REPEALING CHAPTER 14

AN ORDINANCE REPEALING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO MASSAGE PARLORS, HEALTH SALONS, ETC.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Chapter 14 of the Greensboro Code of Ordinances is hereby repealed in its entirety.

Section 2. That this ordinance shall be effective upon ratification.

(Signed) Donald R. Vaughan

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01-132 ADOPTING CHAPTER 14A

AN ORDINANCE ADOPTING CHAPTER 14A OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO MASSAGE AND BODYWORK THERAPY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Chapter 14A of the Greensboro Code of Ordinances with Respect to Massage and Bodywork Therapy is hereby adopted as follows:

Article I. In General

Sec. 14A-1 Declaration of Purpose.

The City of Greensboro recognizes that the improper practice of massage and bodywork therapy is potentially harmful to the public. To protect public health, safety, welfare and morals the provisions and regulations of this Chapter are ordained for the privilege of carrying on the business of massage and bodywork therapy.

Sec. 14A-2 Definitions.

The following definitions shall apply in this Chapter.

(1) Massage and bodywork therapy. - Systems of activity applied to the soft tissues of the human body for therapeutic, educational, or relaxation purposes. The application may include:

- a. Pressure, friction, stroking, rocking, kneading, percussion, or passive or active stretching within the normal anatomical range of movement.
- b. Complementary methods, including the external application of water, heat, cold, lubricants, and other topical preparations.
- c. The use of mechanical devices that mimic or enhance actions that may possibly be done by the hands.

(2) Massage and bodywork therapist. - A person engaged in the practice of massage and bodywork therapy as defined above.

(3) Practice of massage and bodywork therapy. - The application of massage and bodywork therapy to any person for a fee or other consideration. "Practice of massage and bodywork therapy" does not include the diagnosis of illness or disease, medical procedures, chiropractic adjustive procedures, electrical stimulation, ultrasound, prescription of medicines, or the use of modalities for which a license to practice medicine, chiropractic, nursing, physical therapy, occupational therapy, acupuncture, or podiatry is required by law.

Sec. 14A-3. Prohibitions.

A person shall not:

- (a) Employ, contract with, or hire a person to carry on the practice of massage and bodywork therapy unless such employee, person contracted with, or person hired, has a current State Massage and Bodywork Therapy license issued pursuant to Article 36 of Chapter 90 of the North Carolina General Statutes.
- (b) Lease, rent, or otherwise knowingly allow the use of any premises by any person for the purpose of carrying on the profession or business of massage and bodywork therapy unless such lessee, renter, or user is in possession of a current State Massage and Bodywork Therapy license issued pursuant to Article 36 of Chapter 90 of the North Carolina General Statutes.

Article II Privilege License Requirements

Sec. 14A-4 Individuals Practicing and Carrying on the Business of Massage and Body Work Therapy.

- (a) Any person practicing the profession of massage and bodywork therapy who has a current State Massage and Bodywork Therapy license issued pursuant to Article 36 of Chapter 90 of the North Carolina General Statutes is exempt from a City privilege license tax.
- (b) Any person, not otherwise exempt from licensure that employs, contracts with, or hires others to perform massage and bodywork therapy shall be subject to a City privilege tax in the amount of one hundred (\$100.00) dollars.

Article III Enforcement

Sec. 14A-5 Fines.

- (a) Any person violating the provisions of this Chapter shall be guilty of a Class 3 misdemeanor and shall be fined in an amount of Five Hundred (\$500.00) Dollars for each occurrence or violation.
- (b) The use of any remedy set out in N.C.G.S. § 160A-175 is hereby authorized to enforce the provisions of this Chapter.

Section 2. That all ordinances in conflict with the provision of this ordinance are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall be effective upon adoption.

(Signed) Donald R. Vaughan

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188-01 RESOLUTION APPROVING UPDATE IN CHAPTER 14 OF THE CEMETERY RULES AND REGULATIONS

WHEREAS, Section 8-5 of the Greensboro Code of Ordinances references the Rules and Regulations for the operations of the Cemetery Division for the City of Greensboro for requirements and guidance;

WHEREAS, the City Council has approved and adopted the Cemetery Rules and Regulations;

WHEREAS, the changes proposed in the attached copy of the Rules and Regulations were made to clarify and help establish a more precise and accurate understanding of the planting program;

WHEREAS, it is deemed in the best interest of the City to adopt the Rules and Regulations for the Cemetery Division of the City of Greensboro.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Rules and Regulations for the Cemetery Division of the City of Greensboro, as authorized by Section 8-5 of the Greensboro Code of Ordinances, and which is presented herewith this day, is hereby in all respects approved, and the City Manager is directed to place an official copy thereof in the office of the City Clerk.

(Signed) Donald R. Vaughan

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127-01 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2001-02A WITH JIMMY R. LYNCH & SONS, INC. FOR THE LAWNDALe LIFT STATION REPLACEMENT PROJECT

WHEREAS, after due notice, bids have been received for the general contract work in connection with the replacement of the existing Lawndale Lift station project;

WHEREAS, Jimmy R. Lynch & Sons, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$983,987.00 as general contractor for Contract No. 2001-02A, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Jimmy R. Lynch & Sons, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 509-7053-01.6013 CRB 001.

(Signed) Donald R. Vaughan

(A tabulation of bids for the Lawndale Lift Station Replacement Project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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128-01 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2001-02b WITH ELECTRICAL CONSTRUCTION, INC. FOR THE LAWNDALe LIFT STATION REPLACEMENT PROJECT

WHEREAS, after due notice, bids have been received for the electrical contract work in connection with the replacement of the existing Lawndale lift station project;

WHEREAS, Electrical Construction, Inc. a responsible bidder, has submitted the low base and alternate bid in the total amount of \$218,000.00 as general contractor for Contract No. 2001-02B, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;



NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Electrical Construction, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 509-7053-01.6013 CRB 001.

(Signed) Donald R. Vaughan

(A tabulation of bids for the Lawndale Lift Station Replacement Project is filed with the above resolution and is hereby referred to and made a part of these minutes.

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129-01 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2001-11 WITH YATES CONSTRUCTION COMPANY, INC. FOR FRANKLIN BOULEVARD CULVERT AND STORM SEWER IMPROVEMENTS

WHEREAS, after due notice, bids have been received for the culvert and storm sewer improvements for the Franklin Boulevard project;

WHEREAS, Yates Construction Company a responsible bidder, has submitted the low base and alternate bid in the total amount of \$246,882.50 as general contractor for Contract No. 2001-11, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Yates Construction Company is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment in the amount of \$100,000.00 to be made from Account No. 403-7001-01-6018 CBR 001 and in the amount of \$146,882.50 from Account No. 402-6001-01.6014 CBR 004.

(Signed) Donald R. Vaughan

(A tabulation of bids for the Franklin boulevard culvert and storm sewer improvements is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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130-01 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2001-01 WITH MAPCO INC. FOR THE RESURFACING OF STREETS

WHEREAS, Contract No. 2001-01 with Mapco, Inc. provides for asphalt resurfacing of 103 street segments throughout the city;

WHEREAS, several street segments which were eliminated from the original contract need to be added to the resurfacing schedule at this time, thereby necessitating a change order in the contract in the amount of \$313,000;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order n the above-mentioned contract with MAPCO, Inc. for the street resurfacing improvements is hereby authorized at a total cost of \$313,000.00, payment of said additional amount to be made from Account No. 202-6001-01.5611.

(Signed) Donald R. Vaughan

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131-01 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 1999-06 WITH LAUGHLIN AND SUTTON CONSTRUCTION COMPANY FOR THE NORTH BUFFALO CREEK WATER RECLAMATION FACILITY IMPROVEMENTS CONTRACT 1A

WHEREAS, Contract No. 1999-06 with Laughlin and Sutton Construction Company provides for expansion at the North Buffalo Creek Water Reclamation Facility;

WHEREAS, due to the rehabilitation and construction at this existing facility several changes to the originally anticipated project were encountered, thereby necessitating a change order in the contract in the amount of \$97,037.84.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Laughlin and Sutton Construction Company for the expansion improvements is hereby authorized at a total cost of \$97,037.84, payment of said additional amount to be made from Account No. 509-7051-01.

(Signed) Donald R. Vaughan

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132-01 RESOLUTION AUTHORIZING ENCROACHMENT AGREEMENTS WITH NORFOLK SOUTHERN RAILWAY COMPANY AND NORTH CAROLINA RAILROAD COMPANY FOR OAKLAND AVENUE IN THE COLLEGE HILL NEIGHBORHOOD PROJECT

WHEREAS, the City is currently undergoing work along Oakland Avenue in the College Hill neighborhood which calls for a security fence to be installed under the North Carolina Railroad Company track at Milepost 284 plus 4,700 feet;

WHEREAS, Norfolk Southern Railway Corporation currently leases said property from North Carolina Railroad Company;

WHEREAS, North Carolina Railroad Company and Norfolk Southern Railway Corporation have agreed to enter into agreements granting the City the right to proceed with the work at said track;

WHEREAS, the cost to install said fence at the North Carolina Railroad Company track and encroachment fees related thereto, will be paid for by the College Hill Neighborhood Association with Municipal Service District funds;

WHEREAS, it is deemed in the best interest of the City to enter into encroachment Agreements with North Carolina Railroad Company and Norfolk Southern Railway Company to install the security fence requested by the College Hill Neighborhood Association in accordance with the terms and conditions therein and such Agreements are presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the encroachment Agreements with North Carolina Railroad Company and Norfolk Southern Railway Company are hereby approved pursuant to the authority of N.C.G.S. §160A-274 and the City Manager is hereby authorized to execute said agreement on behalf of the City.

(Signed) Donald R. Vaughan

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133-01 RESOLUTION RESCINDING RESOLUTION AUTHORIZING THE SANITARY SEWER IMPROVEMENTS IN BRIGHTON STREET FROM ELMER STREET TO APPROXIMATELY 115' EAST OF ELMER STREET

WHEREAS, on September 15, 1986, the City Council authorized the installation of an 8" sanitary sewer line in Brighton Street from Elmer Street to approximately 115' east of Elmer Street;

WHEREAS, the sanitary sewer main has been installed as part of a private development, which has provided service to this area;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Resolution passed on September 15, 1986 authorizing a sanitary sewer main in Brighton Street from Elmer Street to approximately 115' east of Elmer Street is hereby rescinded.

(Signed) Donald R. Vaughan

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134-01 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2000-32 WITH VIA ELECTRIC FOR THE TOWNSEND WATER TREATMENT PLANT BULK TANK AND ELECTRICAL REPAIRS

WHEREAS, after due notice, bids have been received for necessary repairs to the Townsend Water Treatment Plant due to a chemical accident;

WHEREAS, Via Electric, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$146,900.00 as general contractor for Contract No. 2000-32, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Via Electric is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account Nos. 501-7025-01.5621 and 501-7025-01.5627.

(Signed) Donald R. Vaughan

(A tabulation of bids for the Townsend Water Treatment Plant Bulk Tank and Electrical Repairs is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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135-01 RESOLUTION APPROVING CHANGES TO THE HOUSING REHABILITATION PROGRAM

WHEREAS, the Citywide Housing Rehabilitation Program was designed to rehabilitate housing to a higher quality standard for long-term use within the city limits of Greensboro;

WHEREAS, due to increasing construction costs and implementation of the HUD lead-based paint regulation it is no longer possible to fully rehabilitate homes within our present program limits;

WHEREAS, the specific changes to the Housing Rehabilitation Program are outlined below and are incorporated into the attached Exhibit presented herewith this day;

WHEREAS, it is recommended that the limit for a rehabilitation loan be increased to a maximum of \$46,000.00, the limit for a forgivable loan be decreased to \$5,000.00 and the maximum combination of both a forgivable loan and deferred loan be increased to a maximum of \$46,000.00;

WHEREAS, it also requested that changes to implement HUD's lead-based paint regulation which includes up to a \$10,000.00 lead remediation grant; payment of costs for testing, assessment and clearance for each project as well as payment for relocation and protection of homeowner personal property;

WHEREAS, approval of guidelines for implementation of a Duke Power Home Energy Loan Program are also requested;

WHEREAS, approval of said changes would result in the continuation of providing a higher quality standard of housing to the citizens of Greensboro.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the changes outline above to the Housing Rehabilitation Program are hereby approved.

(Signed) Donald R. Vaughan

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Motion to approve minutes of regular meeting of May 15, 2001 and special meeting of May 22, 2001 was unanimously adopted.

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The City Manager stated that Items 22 through 36 on the agenda were related to the adoption of the proposed 2001-02 Annual Budget and the six-year Capital Improvements Program; he offered a brief explanation for each item; i.e., increased fees/rates, items related to Federal and State requirements, and establishing/amending budgets for various programs.

Following questions by Councilmember Perkins with respect to the history and purpose of the Human Services funding provided in the City's budget, Councilmember Jones detailed the Council's decision in 1985 to begin this funding to become more involved and meet some of the social services needs.

Mr. Scott also noted that in North Carolina, County government was typically charged with the operation of social services agencies. He offered additional historical information regarding the City's provision of funding to social agencies and the process used to distribute available funds. Mr. Scott also spoke to the work of the Community Resource and Human Services Boards.

Councilmember Perkins and other members of Council expressed individual thoughts and concerns with the existing process used to determine which agencies would receive funding and the perception of this process in general. Discussion was held with regard to the fact that this funding was originally designed to assist agencies in starting up, with funding decreasing each year to enable the agency to become self-sufficient in five years—not the current process which appeared to ensure annual funding for certain organizations. Further discussion ensued with regard to City monies being used as leverage by some human services agencies to secure funding from other sources to meet the needs of people in the community. Councilmember Phillips suggested the funds could be donated to a designated non-profit organization for distribution to qualifying agencies. Some members of Council expressed the opinion that Greensboro should know within 60 days what action would be taken by the State with respect to funding.

After lengthy discussion, Councilmember Perkins moved that funding for the non-departmental human services agency budget on page 63 of the budget document be moved to the Council Contingency Fund until further direction from Council. The motion was seconded by Councilmember D. Vaughan; no vote was taken on the motion.

The City Manager suggested that Council adopt the budget as presented and direct City staff not to make any payments until Council resolved how they wanted to make payments in the future. In response to Council inquiries, he advised that if these funds were frozen by action of Council, City staff would communicate Council's decision to appropriate agencies. Advising that these funds could be used for other purposes if the State did not provide funds for Greensboro, the City Manager emphasized that if State funds were not received, he would recommend to Council that no contributions be made to outside agencies.

It appeared to be the intent of Council to wait until later in the meeting to address funding for human service agencies.

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After the Mayor introduced an ordinance amending Chapter 30 of the Greensboro Code of Ordinances with respect to Zoning, Councilmember D. Vaughan moved its adoption. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-133 AMENDING CHAPTER 30

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

Section 1. That Chapter 30-3-19.1 through 30-3-19.4 are hereby rewritten to read as follows:

“30-3-19.1 Board of Adjustment

- (A) Request for variance, special exception, or interpretation..... \$100.00
- (B) Rehearing request..... \$200.00
- (C) No refund of the fee or any part thereof shall be made once an application is filed unless the application is withdrawn at least seventeen (17) days prior to the Board of Adjustment meeting at which the request is intended to be heard.

30-3-19.2 Zoning Map Amendment or Special Use Permit

- (A) Request containing less than one (1) acre.....\$175.00
- (B) Request containing from one (1) acre up to five (5) acres.....\$500.00
- (C) Request containing five (5) acres or more.....\$850.00
- (D) No refund of the fee or any part thereof shall be made once an application is filed unless the application is withdrawn at least nineteen (19) days prior to the Zoning Commission meeting at which the request is intended to be heard.
- (E) No fee shall be required if the request is for initial zoning of property in conjunction with an annexation.

30-3-19.3 Text Amendment.....no fee

30-3-19.4 Development Plans, Final Plats, etc.

- (A) Preliminary Subdivision and Planned Unit Development Plans:
  - 1) Per plan.....\$150.00
  - 2) Plus, per lot.....\$25.00

- (B) Group Housing Development, Manufactured Dwelling Park, or Recreational Vehicle Park Plans:
- 1) Per plan.....\$75.00
  - 2) Plus, per dwelling unit or space.....\$5.00
- (C) Group Nonresidential Development and Other Plans Not Listed Above:
- 1) Per plan.....\$75.00
  - 2) Plus, per 1,000 square feet  
of gross floor area..... \$5.00
- (D) Construction and Utility Drawings:
- 1) Water lines, per linear  
foot of construction.....\$0.60
  - 2) Sewer lines, per linear  
foot of construction..... \$0.60
  - 3) Roadway construction, per linear  
foot of construction..... \$0.75
- (E) Minor Revisions:
- 1) Per plan.....\$15.00
  - 2) Plus the per lot, square footage, linear footage of construction, dwelling unit or space fee  
listed above applied to any increase.
- (F) Other Fees:
- 1) Exempt plat.....no fee
  - 2) Watershed plans..... no fee
  - 3) Easement release.....\$100.00
  - 4) Condominium and townhouse  
declarations.....\$40.00
  - 5) Final plat.....\$30.00
- (Also enclose check for recording fee payable to Guilford County Register of Deeds)
- 6) Petition to close or abandon  
a street or alley.....\$200.00
  - 7) Street name change by private  
Petition request.....\$150.00”

Section 2. This ordinance shall become effective on July 1, 2001.

Section 3. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

(Signed) Donald R. Vaughan

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Mayor Holliday introduced an Ordinance amending Chapter 25 of the Greensboro Code of Ordinances with respect to Solid Waste. Councilmember Carmany moved adoption of the ordinance. The motion was seconded by Councilmember Perkins; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Perkins, Phillips, Vaughan and Vaughan. Noes: Jones.

01-134 ORDINANCE AMENDING CHAPTER 25

AN ORDINANCE AMENDING CHAPTER 25 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO SOLID WASTE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1: That Section 25-21 of the Greensboro Code of Ordinances is hereby amended to read as follows:

- (a) Automated container program. There is hereby established a monthly charge for the availability for collection services to remove and dispose of any one or all discarded wastes in any city approved and authorized container or receptacle, other than stationary containers, or other city approved collection services for public or private streets. The charge shall be four dollars and fifty cents (\$4.50) per month for each location serving a property owner or tenant. This fee shall become effective on and after January 1, 2002 and is billed in advance.
- (b) Stationary container program. There is hereby established a charge for collection of wet and dry garbage from stationary containers, said charge shall be ninety-five dollars and ten cents (\$95.10) per month for each stationary container. This fee shall become effective on and after January 1, 2002.

Section 2: That this ordinance shall become effective upon publication.

Section 3: That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Sandy Carmany

.....

Mayor Holliday introduced an Ordinance amending Chapter 29 of the Greensboro Code of Ordinances with respect to water, sewers and waste disposal. Councilmember Carmany moved adoption of the ordinance; the motion was seconded by Councilmember Perkins. After a unanimous voice vote was recorded, Councilmember Jones noted that he had inadvertently not voted as he intended because he wanted to vote against increased fees. Councilmember D. Vaughan moved that the City Clerk be instructed to clear the board. The motion was seconded by Councilmember Phillips and adopted unanimously by voice vote of Council. The ordinance was thereupon adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Perkins, Phillips, Vaughan and Vaughan. Noes: Jones.

01-135 ORDINANCE AMENDING CHAPTER 29

AN ORDINANCE AMENDING CHAPTER 29 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO WATER RESOURCES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1: That Section 29-46 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 29-46. Generally.

Rates for water and sewer service shall apply only to the quantities shown in the corresponding brackets, and the cost of any quantity shall be the cumulative total of all portions of that quantity. Rates for sewer service inside the city shall be a uniform charge of one dollar and fifty-five cents (\$1.55) per one hundred (100) cubic feet of wastewater discharge plus a billing and availability charge as shown below:

Size of Meter	Billing and Availability Charge
5/8"	\$ 2.50
3/4"	3.70
1"	6.20
1 1/4"	8.00
1 1/2"	12.50
2"	20.00
3"	40.00
4"	62.00
6"	124.00
8"	200.00

The billing and availability charge shall be charged with each billing, whether monthly or quarterly billing. Rates for sewer service outside the city shall be a uniform charge of three dollars and ten cents (\$3.10) per one hundred (100) cubic feet of wastewater discharge plus a billing and availability charge each month as shown below:

Size of Meter	Billing and Availability Charge
5/8"	\$ 5.00
3/4"	7.40
1"	12.40
1 1/4"	16.00
1 1/2"	25.00
2"	40.00
3"	80.00
4"	124.00
6"	248.00
8"	400.00

No discounts shall be allowed from the rates fixed on the above schedule. The annual sewer charge inside the city for unmetered accounts shall be one hundred eighty-nine dollars (\$189.00) or a pro rata portion for the months that the service was provided. The annual sewer charge outside the city for unmetered accounts shall be three hundred seventy-eight dollars (\$378.00) or a pro rata portion for the months that the service was provided. If a meter was cut off before the end of the billing period, the actual consumption plus the billing and availability charge for the appropriate meter size shall be charged.

Section 2: That Section 29-47 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 29-47. Quarterly rates inside the city; billing and availability charges.

Quarterly rates shall apply to meters normally reading less than fifty dollars (\$50.00) monthly that are inside accounts.

- (a) *Residential water charges.* Quarterly billed (inside) accounts with 5/8" and 3/4" meters that are billed as residential accounts shall be charged a billing and availability charge of two dollars and fifty cents (\$2.50) or three dollars and seventy cents (\$3.70) respectively, for each quarter. In addition, the account will be charged for water consumed as follows:

	Per Unit
First 9 units	\$ 1.05
10th through 30th units	1.45
31st through 60th units	1.70



All units over 60 2.10

- (b) *Non-residential water charges.* All quarterly billed (inside) accounts not described in (a) above or (c) below shall be billed one dollar and forty-five cents per unit (\$1.45) per unit plus a billing and availability charge as follows:

Size of Meter	Billing and Availability Charge
5/8"	\$ 2.50
3/4"	3.70
1"	6.20
1 1/4"	8.00
1 1/2"	12.50

- (c) *Irrigation use.* All quarterly billed irrigation accounts (water metered separately for irrigation or other outside use only) shall be charged two dollars and ten cents (\$2.10) per unit plus a billing and availability charge as follows:

Size of Meter	Billing and Availability Charge
5/8"	\$ 2.50
3/4"	3.70
1"	6.20
1 1/4"	8.00
1 1/2"	12.50

Section 3: That Section 29-48 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 29-48. Monthly rates inside the city; billing and availability charges.

- (a) *Residential water charges.* Monthly billed (inside) accounts with 5/8" and 3/4" meters that are billed as residential accounts shall be charged a billing and availability charge of two dollars and fifty cents (\$2.50) or three dollars and seventy cents (\$3.70) respectively, for each month. In addition, the account will be charged for water consumed as follows:

	Per Unit
First 3 units	\$1.05
4th through 10th units	1.45
11th through 20th units	1.70
All units over 20	2.10

- (b) *Non-residential water charges.* All monthly billed (inside) accounts not described in (a) above or (c) below shall be billed a billing and availability charge as follows:

Size of Meter	Billing and Availability Charge
5/8"	\$ 2.50
3/4"	3.70
1"	6.20
1 1/4"	8.00
1 1/2"	12.50
2"	20.00
3"	40.00
4"	62.00
6"	124.00
8"	200.00

Consumption of water shall be billed at one dollar and forty-five cents (\$1.45) per unit for all units.

- (c) *Irrigation use.* All inside monthly billed irrigation accounts (water metered separately for irrigation or other outside use only) shall be charged two dollars and ten cents (\$2.10) per unit plus a billing and availability charge as shown in (b) above.

Section 4: That Section 29-49 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 29-49. Monthly rates outside city; billing and availability charges.

All water meters outside the corporate limits of the city shall be read monthly and shall be billed at the following rates:

- (a) *Residential water charges.* Outside accounts with 5/8" and 3/4" meters that are billed as residential accounts shall be charged a billing and availability charge of five dollars (\$5.00) or seven dollars and twenty cents (\$7.20) respectively, for each month. In addition, the account will be charged for water consumed as follows:

	Per Unit
First 3 units	\$ 2.10
4th through 10th units	2.90
11th through 20th units	3.40
All units over 20	4.20

- (b) *Non-residential water charges.* All outside accounts not described in (a) above or below shall be billed a billing and availability charge as follows:

Size of Meter	Billing and Availability Charge
5/8"	\$ 5.00
3/4"	7.40
1"	12.40
1 1/4"	16.00
1 1/2"	25.00
2"	40.00
3"	80.00
4"	124.00
6"	248.00
8"	400.00

Consumption of water shall be billed at two dollars and ninety cents (\$2.90) per unit for all units.

- (c) *Irrigation use.* All outside irrigation accounts (water metered separately for irrigation or other outside use only) shall be charged four dollars and twenty cents (\$4.20) per unit plus a billing and availability charge as shown in (b) above.
- (d) Monthly rates charged to consumers provided sewer service by the Town of Jamestown should be as commensurate with sewer service charges adopted by the Town of Jamestown.
- (e) Monthly rates charged to consumers provided sewer service by the City of High Point shall be as commensurate with sewer service charges adopted by the City of High Point.

Section 5: That this ordinance shall become effective on and after January 1, 2002.

Section 6: That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Sandy Carmany

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The Mayor introduced an Ordinance establishing the FY 2001-02 Annual Operating Budget.

Councilmember Phillips offered a detailed presentation regarding cable television rates vs. property tax. Speaking to the history and statistics related to the cable franchise fee and reviewing the amount of revenues and financial impact on property owners and renters, he requested Council to support his proposal which he believed would more equitably distribute the cost to taxpayers. Some members of Council discussed concern with the amount of fees being charged to citizens, discussed the fact that cable service was optional and not a basic service, and offered individual thoughts about Councilmember Phillips' presentation. The Manager discussed the procedure and timeframe in which changes to the property tax rate and/or other changes to the proposed budget should be considered.

After further Council discussion, Councilmember Phillips moved that the 01-02 Annual Budget be amended to increase the property tax by  $\frac{3}{4}$  cent and reduce the cable franchise fee from \$5 to \$2. The motion was seconded by Councilmember Perkins and DEFEATED on the following roll call vote: Ayes: Perkins, Phillips and N. Vaughan. Noes: Burroughs-White, Carmany, Holliday, Jones and D. Vaughan.

Councilmember D. Vaughan moved that items on Page 63 of the budget, non-departmental Human Service agency, be frozen at this point in time until the numbers come in from the General Assembly, and we know objective of General Assembly with regard to Greensboro for sixty days or two weeks. The motion died for lack of a second.

The City Manager suggested that Council consider approving the budget with the funding for human services and adopt a separate motion to direct City staff not to make payments from the fund until Council resolved how they wanted to make future payments.

Councilmember D. Vaughan offered an alternate motion that the items on Page 63 be frozen until two weeks after the General Assembly adjourned or the next meeting of the City Council so Council could determine what revenue/shortfall/gain would come from the General Assembly. The motion died for lack of a second.

After brief discussion, it appeared to be the Council's intent to wait until later in the meeting to address funding for human service agencies.

Councilmember Phillips commended the Manager and staff for their excellent work in preparing the proposed budget but expressed his concerns with normal growth in a difficult budget year. After brief discussion, Councilmember Carmany moved adoption of the ordinance adopting the 2001-02 Annual Budget of the City of Greensboro. The motion was seconded by Councilmember D. Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins and D. Vaughan. Noes: Phillips and N. Vaughan.

#### 01-136 AN ORDINANCE ADOPTING THE 2001-02 ANNUAL BUDGET OF THE CITY OF GREENSBORO

Be it ordained by the City Council of the City of Greensboro that for the purpose of financing expenditures of the City of Greensboro, North Carolina, there is hereby appropriated from taxes and other revenue collectible the following funds for operation of City government and its activities for the Fiscal Year 2001-02 beginning July 1, 2001 and ending June 30, 2002.

*Section 1.* It is estimated that the following expenditures are necessary for current operating expenditures and debt service payments for the City of Greensboro for the Fiscal Year 2001-02, beginning July 1, 2001 and ending June 30, 2002.

#### ***General Fund***

Current Operating Expense	175,774,085	
Transfer to Debt Service	<u>12,405,260</u>	\$188,179,345

#### ***Street & Sidewalk Revolving Fund***

Current Operating Expense		5,787,000
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<b><i>State Highway Allocation Fund (Powell Bill)</i></b>		
Current Operating Expense		9,611,345
<b><i>Stormwater Management Fund</i></b>		
Current Operating Expense		8,179,580
<b><i>Cemetery Operating Fund</i></b>		
Current Operating Expense		674,740
<b><i>Hotel/Motel Occupancy Tax Fund</i></b>		
Current Operating Expense		3,198,705
<b><i>Special Tax Districts Fund</i></b>		
Current Operating Expense		245,000
<b><i>Nussbaum Housing Partnership Revolving Fund</i></b>		
Current Operating Expense		2,636,495
<b><i>Debt Service Fund</i></b>		
Debt Service		20,920,660
<b><i>Water Resources Enterprise Fund</i></b>		
Current Operating Expense	45,737,060	
Debt Service	<u>9,937,750</u>	55,674,810
<b><i>Water Resources Capital Reserve Fund</i></b>		
Current Operating Expense		10,000,000
<b><i>War Memorial Coliseum Complex Fund</i></b>		
Current Operating Expense		13,212,650
<b><i>Bryan Park Enterprise Fund</i></b>		
Current Operating Expense		2,790,200
<b><i>Parking Meter Enterprise Fund</i></b>		
Current Operating Expense		477,040
<b><i>Davie Street Parking Facility Fund</i></b>		
Current Operating Expense		461,980
<b><i>Parking Facilities Operating Fund</i></b>		
Current Operating Expense		3,527,460
<b><i>Solid Waste Management System Fund</i></b>		
Current Operating Expense		24,217,585
<b><i>Solid Waste Capital Reserve Fund</i></b>		
Current Operating Expense		2,460,000
<b><i>Greensboro Transit Authority Fund</i></b>		
Current Operating Expense		8,535,535
<b><i>Equipment Services Fund</i></b>		
Current Operating Expense		14,248,150

<b><i>Technical Services Fund</i></b>	
Current Operating Expense	2,698,270
<b><i>City/County Telecommunications Fund</i></b>	
Current Operating Expense	2,211,140
<b><i>Graphic Services Fund</i></b>	
Current Operating Expense	871,560
<b><i>Employee Insurance Fund</i></b>	
Current Operating Expense	15,920,385
<b><i>General Insurance Fund</i></b>	
Current Operating Expense	2,067,715
<b><i>Capital Leasing Fund</i></b>	
Current Operating Expense	<u>19,300,000</u>
<b>Total</b>	\$418,107,350
Less Total Transfers and Internal Charges	<u>(88,286,705)</u>
<b>Net Total</b>	<b>\$329,820,645</b>

*Section 2.* It is estimated that the following revenues will be available during the Fiscal Year beginning July 1, 2001 and ending June 30, 2002 to meet the foregoing appropriations:

<b><i>General Fund</i></b>		
Property Tax	\$93,504,000	
Sales Tax	30,940,000	
Franchise Tax	11,819,030	
State Collected Local Revenues	8,830,010	
ABC Store Revenue	2,362,500	
Privilege License	3,160,000	
All Other	29,532,290	
Appropriated Fund Balance	<u>8,031,515</u>	\$188,179,345
<b><i>Street &amp; Sidewalk Revolving Fund</i></b>		
Assessments/Other Revenue	3,181,000	
Motor Vehicle License	1,600,000	
Appropriated Fund Balance	<u>1,006,000</u>	5,787,000
<b><i>State Highway Allocation Fund (Powell Bill)</i></b>		
State Grant	6,880,000	
Other Revenue	990,200	
Appropriated Fund Balance	<u>1,741,145</u>	9,611,345
<b><i>Stormwater Management Fund</i></b>		
Stormwater Utility Fees	6,350,000	
Other Revenue	384,360	
Appropriated Fund Balance	<u>1,445,220</u>	8,179,580
<b><i>Cemetery Operating Fund</i></b>		
Lot Sales	203,840	

Cemetery Services	258,900	
Other Sources	80,000	
Transfer from General Fund	<u>132,000</u>	674,740
<b><i>Hotel/Motel Occupancy Fund</i></b>		
Other Revenue	12,000	
Hotel/Motel Tax	2,856,085	
Appropriated Fund Balance	<u>330,620</u>	3,198,705
<b><i>Special Tax Districts Fund</i></b>		
Property Taxes	36,500	
Appropriated Fund Balance	<u>208,500</u>	245,000
<b><i>Nussbaum Housing Partnership Revolving Fund</i></b>		
Transfer from the General Fund	2,283,260	
Other Revenue	<u>353,235</u>	2,636,495
<b><i>Debt Service Fund</i></b>		
Other Revenue	6,345,000	
Transfer from the General Fund	12,596,130	
Appropriated Fund Balance	<u>1,979,530</u>	20,920,660
<b><i>Water Resources Enterprise Fund</i></b>		
Water & Sewer Charges	45,897,250	
Assessments	700,000	
Other Revenue	1,119,700	
Capacity Use Fees	2,600,000	
Industrial Waste Control	700,000	
Appropriated Fund Balance	<u>4,657,860</u>	55,674,810
<b><i>Water Resources Capital Reserve Fund</i></b>		
Other Revenue	1,200,000	
Transfer From Water & Sewer	3,300,000	
Appropriated Fund Balance	<u>5,500,000</u>	10,000,000
<b><i>War Memorial Coliseum Complex Fund</i></b>		
Concessions	3,452,385	
Admissions and Charges	2,327,900	
Transfer from General Fund	1,500,000	
Other Revenue	<u>5,932,365</u>	13,212,650
<b><i>Bryan Park Enterprise Fund</i></b>		
Golf Fees	1,980,900	
Transfer from General Fund	374,300	
Other Revenue	<u>435,000</u>	2,790,200
<b><i>Parking Meter Enterprise Fund</i></b>		
Parking Fees	341,200	
Other Revenue	50,000	
Appropriated Fund Balance	<u>85,840</u>	477,040
<b><i>Davie Street Parking Facility Fund</i></b>		
Parking Fees	263,000	
Other Revenue	14,150	
Appropriated Fund Balance	<u>184,830</u>	461,980

***Parking Facilities Operating Fund***

Parking Fees	1,527,150	
Transfer From General Fund	1,196,325	
Other Revenue	55,800	
Transfer From Parking Meter/Davie Street Deck Funds	163,250	
Appropriated Fund Balance	<u>584,935</u>	3,527,460

***Solid Waste Management System***

Solid Waste Disposal Fees	6,490,600	
Transfer from General Fund	8,000,000	
Collection Fees	7,129,035	
Other Revenue	483,450	
Appropriated Fund Balance	<u>2,114,500</u>	24,217,585

***Solid Waste Capital Reserve Fund***

Transfer from Solid Waste	2,460,000	2,460,000
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***Greensboro Area Transit Authority Fund***

Property Taxes	3,324,375	
State and Federal Grants	2,559,155	
Transportation Fares	922,800	
Duke Power Contribution	1,338,495	
Other Revenue	389,985	
Appropriated Fund Balance	<u>725</u>	8,535,535

***Equipment Services Fund***

Automotive Services	11,950,000	
Other Revenue	854,500	
Appropriated Fund Balance	<u>1,443,650</u>	14,248,150

***Technical Services Fund***

Radio Charges	2,254,720	
Other Revenue	<u>443,550</u>	2,698,270

***City/County Telecommunications Service Fund***

Telephone Services	2,112,520	
Other Revenue	87,705	
Appropriated Fund Balance	<u>10,915</u>	2,211,140

***Graphic Services Fund***

Printing Services	<u>871,560</u>	871,560
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***Employee Insurance Fund***

Premiums	15,558,975	
Transfer from General Fund	14,400	
Other Revenue	<u>347,010</u>	15,920,385

***General Insurance Fund***

Premiums	1,493,325	
Transfer from General Fund	175,000	
Other Revenue	375,290	
Appropriated Fund Balance	<u>24,100</u>	2,067,715

***Capital Leasing Fund***

Internal Charges	9,500,000	
Capital Lease	<u>9,800,000</u>	<u>19,300,000</u>
<b>Total</b>		\$418,107,350
Less Total Transfers and Internal Charges		<u>(88,286,705)</u>
<b>Net Total</b>		<b>\$329,820,645</b>

*Section 3.* There is hereby levied the following rates of tax on each one hundred dollars (\$100.00) valuation of taxable real property and taxable tangible personal property, as listed for taxes as of January 1, 2001, for the purpose of raising the revenue from Current Year's Property Tax, as set forth in the foregoing estimates of revenue, and in order to finance the foregoing appropriations:

- |  |              |
|--|--------------|
| a) For the payment of general operating expenses and capital expenditures of the City including the payment of principal and interest of the bonded indebtedness of the City of Greensboro | .5625        |
| b) For the payment of general operating expenses and capital expenditures associated with the improvement of transit operations within the City of Greensboro                              | <u>.0200</u> |
| <b>Total</b>   | <b>.5825</b> |

Such rates of tax are based on an estimated total appraised valuation of property for purposes of taxation of \$16,725,000,000 and an estimated rate of collection of ninety-eight and one-half percent (98.5%).

*Section 4.* There is hereby levied the following rates of tax on each one hundred dollars (\$100.00) valuation of taxable real property and taxable tangible personal property in the following special tax districts, as listed for taxes as of January 1, 2001, for the purposes as set for in the Special Historic Districts as authorized by City Council:

- |   |     |
|---|-----|
| a) College Hill Historic District for improvements as stated in the Special Historic District Plan      | .05 |
| b) Charles B. Aycock Historic District for improvements as stated in the Special Historic District Plan | .05 |

Such rates of tax are based on the estimated total appraised valuations in each Historic District and an estimated rate of collection of ninety-eight and one-half percent (98.5%).

*Section 5.* Appropriations hereinabove authorized and made for the purpose other than necessary governmental functions are hereby made from revenue collectible from miscellaneous revenues and sources other than taxes. Appropriations authorized for Cultural Contributions and Chamber of Commerce Contributions are hereby made from revenues collectible from sources other than taxes.

*Section 6.* Appropriations hereinabove authorized and made for water and sewer operating fund, water and sewer current operating expense and debt service, are made from revenue collectible for the operation of the combined water and sewer systems and miscellaneous revenue.

*Section 7.* Appropriations hereinabove authorized and made shall have the amounts of the outstanding purchase orders and unearned portion of contracts at June 30, 2001 (rounded to the nearest five dollars) added to each appropriation as it applies in order to properly account for the payment against the fiscal year in which it is paid.

*Section 8.* Copies of this ordinance shall be furnished to the Budget and Evaluation Director, Finance Director and the City Clerk within five days after adoption to be kept on file by them for their direction in the disbursement of City funds.

*Section 9.* This ordinance shall be effective from and after the date of July 1, 2001.



(Signed) Sandy Carmany

.....

Councilmember D. Vaughan moved that the items on Page 63 in the budget be frozen—that the total amount on Page 63 for the non-departmental Human Service agencies be moved to the Council Contingency Fund. The motion died for lack of a second.

The City Manager suggested that Council consider freezing these funds and directing the City staff not to make expenditures until Council gave further directions to staff.

Councilmember D. Vaughan moved that Council take action as recommended by the City Manager. The motion was seconded by N. Vaughan; the motion was adopted on the following roll call vote: Ayes: Carmany, Holliday, Perkins, Phillips, Vaughan and Vaughan. Noes: Burroughs-White and Jones.

.....

After the Mayor introduced a resolution adopting the FY 2001-2007 Capital Improvements Program, Councilmember Jones moved its adoption. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Vaughan and Vaughan. Noes: Phillips.

#### 136-01 RESOLUTION ADOPTING SIX YEAR CAPITAL IMPROVEMENTS PROGRAM

WHEREAS, capital improvements programming is a comprehensive approach to improving social and physical conditions in a governmental jurisdiction by evaluation of growth and development trends;

WHEREAS, capital improvements programming serves as a basic framework for scheduling public improvements and requires the assistance of government officials and agencies, as well as community residents;

WHEREAS, a report entitled *2001-2007 Capital Improvements Program* has been prepared;

WHEREAS, after conduct of a public hearing and resulting review and discussion, the Planning Board recommends adoption of the *2001-2007 Capital Improvements Program*;

WHEREAS, the report provides a comprehensive listing of needed public improvements and related financial resources, indicates estimated future revenues and operating expenditures, illustrates the importance of relating the City's comprehensive plans to its fiscal capability and provides recommendations for scheduling each public improvement project, while estimating planning, design and development costs

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council recognizes the capital improvements programming process as the translation of community goals and objectives into needed physical facilities which are essential to residential, business, institutional and leisure activities, and

2. That the City Council does hereby adopt the report entitled *Capital Improvements Program 2001-07*. Following is an expense summary by service category and related financing as is included in the FY 01-07 Capital Improvements Program:

#### **Expenditures**

Public Safety	\$27,112,490
Transportation	146,909,230
Economic and Community Development	32,922,625

Environmental Protection	139,823,110
Culture and Recreation	50,598,800
General Government	<u>12,150,000</u>
Total	\$409,516,255

#### Financing

General Fund	\$15,517,425
Enterprise Funds	64,246,430
Street and Sidewalk Funds	8,020,000
Powell Bill/State Road Funds	36,625,000
Authorized GO Bonds	141,732,490
GO Bonds to be Authorized	14,414,000
Revenue Bonds	84,555,115
Grants/Other Rev Sources	<u>44,405,795</u>
Total	\$409,516,255

(Signed) Earl Jones

.....

Mayor Holliday introduced an ordinance establishing in the amount of \$1,199,799 budget for the Greensboro/High Point/Guilford County Job Training Consortium. Councilmember Jones moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

#### 01-137 ORDINANCE ESTABLISHING THE FY 01-02 GRANT PROJECT BUDGET GREENSBORO/HIGH POINT/GUILFORD COUNTY JOB TRAINING CONSORTIUM

WHEREAS, the Local Government Budget and Fiscal Control Act, as amended, provides for grant project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of grant projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year and to permit the use of continuing appropriations of the FY 01-02 Workforce Investment Act Grant and to properly account for such usage, it is deemed in the best interest of the City of Greensboro to establish, by ordinance, a special FY 01-02 grant project for the Workforce Investment Act Grant with revenues and expenditures being specifically defined as is shown below:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the grant project budget for the FY 01-02 Workforce Investment Act Grant be established and appropriated for the life of the project as follows:

<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
Adult Program	363,516	
Youth Program	395,071	
Dislocated Worker Program	321,232	
Program Administration	119,980	
Federal & State Grants	_____	<u>\$1,199,799</u>

TOTAL	\$1,199,799	\$1,199,799
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2. AND THAT, the expense and revenue estimates here-in-above authorized and made for the FY 01-02 Workforce Investment Act Project shall be documented and recorded by line item within the accounting system of the City of Greensboro so as to provide a foundation for the proper recording of actual revenue and expenditures and shall be duly filed with the City Clerk of the City of Greensboro.

(Signed) Earl Jones

.....

After Mayor Holliday introduced an Ordinance establishing in the amount of \$2,825,000 the FY 01-02 budget for the Community Development Block Grant, Councilmember Jones moved its adoption. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-138 ORDINANCE ESTABLISHING FY 01-02 GRANT PROJECT BUDGET FOR COMMUNITY DEVELOPMENT BLOCK GRANT

WHEREAS, the Local Government Budget and Fiscal Control Act, as amended, provides for grant project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of grant projects; AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, and to permit the use of continuing appropriations to account for Community Development Block Grant FY 01-02, it is deemed in the best interest of the City to establish a special grant project ordinance for Community Development Block Grant FY 01-02, with the revenues and expenditures being established as shown below:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the grant project budget for Community Development Block Grant FY 01-02 be established and appropriated for the life of the project as follows:

Description	Estimated Expenditures	Estimated Revenues
CDBG Administration & Planning	\$367,010	
Fair Housing Administration	18,500	
Single Family Homeownership Opportunities	100,952	
Arlington Park Target Area	70,000	
Ole Asheboro Target Area	362,000	
Benjamin Benson Target Area	25,000	
Gorrell Street Target Area	12,038	
Rosewood Target Area	175,000	
Citywide Repair	600,000	
Section 108 Loan Guarantee Payment	452,000	
Compass International	12,500	
Guilford Native American Association	25,000	
Greensboro Women's Club	5,000	
Magnolia House Motel, Inc.	70,000	
Southeast Economic Developments	6,500	
East Market St. Development Corporation	25,000	
Homeless Prevention, Shelter Assistance, Special Needs	467,500	
Project Homestead Construction Skills Training	20,000	
SHARE of NC, Inc.	6,000	
Jubilee Jobs of Greensboro	<u>5,000</u>	

Total	\$2,825,000
Governmental Grant	\$2,025,000
Program Income	<u>800,000</u>
Total	\$2,825,000

(Signed) Earl Jones

.....

Mayor Holliday introduced an Ordinance establishing in the amount of \$1,951,000 the FY-01-02 budget for the HOME Grant; Councilmember Jones moved its adoption. The motion was seconded by Councilmember Burroughs-White; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-139 ORDINANCE ESTABLISHING THE FY 01-02 HOME PROGRAM GRANT PROJECT BUDGET FOR THE GREENSBORO/GUILFORD/HIGH POINT/BURLINGTON/ALAMANCE HOUSING CONSORTIUM

WHEREAS, the Cranston-Gonzalez National Affordable Housing Act of 1990, authorizes contiguous units of local government to form consortia in order to receive HOME funding as one jurisdiction;

AND WHEREAS, the City of Greensboro, the City of High Point and Guilford County formed a HOME Consortium and subsequently added the City of Burlington and Alamance County;

AND WHEREAS, State Statutes require pre-authorization of the expenditure of Federal Grant Funds by the Governing Body having jurisdiction over and responsibility for said funds;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the Grant Project Budget for the FY 01-02 HOME Program Grant be established and appropriated for the life of the project as follows:

Description	Estimated <u>Expenditures</u>	Estimated <u>Revenues</u>
<u>Greensboro</u>		
Single Family Homeownership Opportunities	381,548	
Homeless Prevention, Shelter Assistance, Special Needs	150,000	
Morningside/Lincoln Grove Neighborhood Revitalization	385,000	
Administration	<u>101,579</u>	
Total Greensboro	\$1,018,127	
<u>Guilford County</u>		
St. James Revitalization	\$140,380	
Administration	<u>15,597</u>	
Total Guilford County	\$155,977	

High Point

First-time Homebuyer Assistance	\$152,222
CHDO Activities	70,444
West Macedonia Land Acquisition	200,000
Administration	<u>46,962</u>
Total High Point	\$469,628

Burlington

Lead-Based Paint Hazard Reduction	\$20,000
Owner-Occupied Housing Rehabilitation	95,000
CHDO Project Assistance	32,595
Relocation	12,000
Rental Housing Rehabilitation	35,980
Administration	<u>21,730</u>
Total Burlington	\$217,305

Alamance County

Homeowner Rehabilitation	\$51,200
CHDO Set-aside	13,494
Lead Based Paint Hazard Reduction	10,000
Relocation	6,273
Administration	<u>8,996</u>
Total Alamance County	\$89,963

2000-2001 HOME Grant \$1,951,000

Total Consortium	\$1,951,000	\$1,951,000
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\*\* The City of Greensboro allocation does not include \$149,043 in reprogrammed funds from FY 2000-01, resulting in a total budget of \$1,167,170 for the HOME Program.

(Signed) Earl Jones

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Mayor Holliday introduced an ordinance establishing in the amount to \$20,265 the FY 01-02 budget for KIDS, Inc.; Councilmember D. Vaughan moved adoption of the ordinance. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-140 ORDINANCE ESTABLISHING FY 01-02 GRANT PROJECT BUDGET FOR KIDS, INC. DAY CARE PROJECT

WHEREAS, the Local Government and Fiscal Control Act, as amended, provides for grant budgeting pursuant to G. S. 159-13.2 and as an alternative to the annual budgeting of grant project funds and;

WHEREAS, in order to alleviate the requirement to re-authorize unused appropriations from fiscal year to fiscal year and to permit the continuing use of residual appropriations to underwrite costs that are attributable to KIDS,

INC. project activities, it is deemed in the best interest of the City of Greensboro and KIDS, INC. to establish a special FY 01-02 grant project budget for KIDS, INC., with revenue and expenditures being authorized as shown below:

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the FY 01-02 grant project budget for KIDS, INC. be established and appropriated for the life of the project as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
212-2031-01.5121	Heat & Electricity	\$8,200	
212-2031-01.5131	Water & Sewer Utility	600	
212-2031-01.5141	Stormwater Fee	100	
212-2031-01.5422	Contract Maint of Buildings	4,000	
212-2031-01.5613	Maint & Repair Buildings	3,900	
212-2031-01.5710	Insurance Premiums	200	
212-2031-01.5990	Contingency	3,265	
212-2031-01.7801	Rent-Real Estate	_____	<u>\$20,265</u>
Total		\$20,265	\$20,265

(Signed) Donald R. Vaughan

.....

The Mayor introduced an ordinance establishing in the amount of \$377,000 the FY 01-02 budget for Housing Opportunities for Persons with Aids.

After a brief explanation by the Manager, Councilmember Burroughs-White moved adoption of the ordinance. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-141 ORDINANCE ESTABLISHING FY 01-02 GRANT PROJECT BUDGET FOR HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)

WHEREAS, the Local Government Budget and Fiscal Control Act, as amended, provides for grant project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of grant projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, and to permit the use of continuing appropriations to account for HOPWA program activities, it is deemed in the best interest of the City to establish a special grant project ordinance for HOPWA FY 01-02, with the revenues and expenditures being established as shown below:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the grant project budget for HOPWA FY 01-02 be established and appropriated for the life of the project as follows:

<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
HOPWA Homeless and AIDS Patient Programming	<u>\$377,000</u>	
Total	\$377,000	

Governmental Grant \$377,000

Total \$377,000

(Signed) Claudette Burroughs-White

.....

After Mayor Holliday introduced an ordinance amending in the amount of \$925,000 the Street and Sidewalk Capital Project Fund, Councilmember Burroughs-White moved its adoption. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-142 ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR FY 01-02 STREET AND SIDEWALK CAPITAL PROJECTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for Street and Sidewalk Capital Projects to be undertaken in FY 01-02;

AND WHEREAS, the revenues and expenditures shown below are being established for these capital projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the following capital project budgets for Street and Sidewalk Projects be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
401-6021-01.6014	Street Construction	\$500,000	
401-6021-01.6012	Land Right-of Way	100,000	
401-6021-01.9201	Transfer From Street and Sidewalk Fund		\$600,000
401-6021-02.6015	Sidewalk Construction	250,000	
401-6021-02.9201	Transfer From Street and Sidewalk Fund		250,000
401-6021-03.6019	Other Improvements	75,000	
401-6021.03.9201	Transfer From Street and Sidewalk Fund	_____	<u>75,000</u>
	Total	\$925,000	\$925,000

(Signed) Claudette Burroughs-White

.....

After Mayor Holliday introduced an ordinance establishing in the amount of \$2,300,000 the State Highway Allocation Capital Project Fund, Councilmember Carmany moved its adoption. The motion was seconded by Councilmember D. Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-143 ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR FY 01-02 STATE HIGHWAY  
ALLOCATION CAPITAL PROJECTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for State Highway Allocation Capital Projects to be undertaken in FY 01-02;

AND WHEREAS, the revenues and expenditures show below are being established for these capital projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the following capital project budgets for State Highway Allocation Projects be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
402-6021-01.6012	Land Right-of-Way	150,000	
402-6021-01.6014	Street Construction	1,500,000	
402-6021-01.9202	Transfer From State Highway Allocation Fund		1,650,000
402-6021-02.6015	Sidewalk Construction	450,000	
402-6021-02.9202	Transfer From State Highway Allocation Fund		450,000
402-6021-03.6019	Other Improvements	200,000	
402-6021-03.9202	Transfer From State Highway Allocation Fund	_____	<u>200,000</u>
	Total	\$2,300,000	\$2,300,000

(Signed) Sandy Carmany

.....

After Mayor Holliday introduced an ordinance amending in the amount of \$3,500,000 the Water Resources Capital Improvements Fund. Councilmember Carmany moved adoption of the ordinance. The motion was seconded by Councilmember Perkins; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-144 ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR FY 01-02 WATER RESOURCES  
CAPITAL IMPROVEMENTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for Water Resources Capital Projects to be undertaken in FY 01-02;

AND WHEREAS, the revenues and expenditures shown below are being established for these capital projects;



NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the following capital project budgets for Water Resources Capital Projects be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
503-7011-01.6012	Land	\$100,000	
503-7011-01.6016	Water Lines	\$900,000	
503-7011-01.6016	Water Lines Rehabilitation	\$250,000	
503-7011-02.6012	Land	\$200,000	
503-7011-02.6017	Sewer Lines	\$750,000	
503-7011-02.6017	Sewer Lines Rehabilitation	\$1,300,000	
503-7011-01.9501	Transfer From Water Res Oper Fund		\$1,250,000
503-7011-02.9501	Transfer From Water Res Oper Fund		\$2,250,000
Total		\$3,500,000	\$3,500,000

(Signed) Sandy Carmany

.....

The Mayor introduced an Ordinance amending in the amount of \$1,750,000 the Storm Water Management Capital Improvements Fund.

After a brief explanation by the City Manager, Councilmember Carmany moved adoption of the ordinance. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-145 ORDINANCE ESTABLISHING CAPITAL PROJECT FUND BUDGET FOR FY 01-02 STORMWATER MANAGEMENT CAPITAL IMPROVEMENTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for Stormwater Management Capital Projects to be undertaken in FY 01-02;

AND WHEREAS, the revenues and expenditures shown below are being established for these capital projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the following capital project budgets for Stormwater Management Capital Projects be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	Estimated	Estimated
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		<u>Expenditures</u>	<u>Revenues</u>
403-7002-01.6018	Stormwater Cap Improv	\$1,000,000	
403-7002-02.6018	Stormwater Cap Improv	750,000	
403-7002-01.9203	Transfer from Stormwater Mgmt Fund		\$1,750,000
Total		\$1,750,000	\$1,750,000

(Signed) Sandy Carmany

.....

After the Mayor introduced an ordinance amending in the amount of \$1,500,000 the General Capital Project Fund, Councilmember Jones moved its adoption. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-146 ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR FY 01-02 GENERAL FUND  
CAPITAL PROJECTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects:

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for General Fund Capital Projects to be undertaken in FY 01-02;

AND WHEREAS, the revenues and expenditures shown below are being established for these capital projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the following capital project budgets for General Capital Projects be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Expenditures</u>
410-5004-01.6019	Other improvements	\$1,390,000	
410-2004-01.6019	Citizens CIP	110,000	
Total			
410-0000-00.9101	Transfer From Gen Fund		\$1,500,000
Total		\$1,150,000	\$1,500,000

(Signed) Earl Jones

.....

Mayor Holliday requested a motion to approve the FY 2001-02 budget for the Greensboro/Guilford County Tourism Development Authority. He noted that Henry Fourrier from the Convention and Tourism Bureau was present in the Chamber to answer any questions.

After an inquiry by Councilmember Perkins, the Manager explained that the 3% city-wide tax portion of the hotel-motel tax is dedicated to servicing the debt created by the expansion of the arena at the Coliseum. He stated that citizens were told that general fund tax dollars would not be used for this purpose. He stated further that due to a downturn in the economy and the lower growth projections in the 4% range for next year, rather than the high range experienced in prior years, plus the fact the City had to defease the certificates of participation and reissue on a taxable basis because of changed IRS regulations for private use of the facility, staff did not believe the reserve and growth rate would be sufficient in year 02-03 with those projections to cover the debt service payments. City Manger Kitchen stated he would talk with Mr. Fourrier and his Board about holding in reserve the monies in the 3% county-wide tax that are by legislation isolated for City Capital projects; i.e. the curtain at arena and other types of capital improvements, until the City could determine whether or not growth rate would be sufficient again. He stated that if the rate was not sufficient, he would recommend that these funds be used to cover debt service that was not covered out of the 3% city-wide funds; the City Manager noted that this would require the approval of the three bodies. Councilmember Perkins stated that he wanted to ensure the money to pay for the Coliseum did not come from the General Fund.

After brief discussion, Councilmember Jones moved adoption of the Greensboro/Guilford County Tourism Development Authority budget as proposed. The motion was seconded by Councilmember Carmany and adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

(A copy of the FY 2001-02 budget for the Greensboro/Guilford County Tourism Development Authority is filed in Exhibit Drawer N, Exhibit Number 20, which is hereby referred to and made a part of these minutes.)

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Mayor Holliday introduced a Resolution approving bid in the amount of \$8,698,784 and authorizing execution of Contract No. 2001-16 with John S. Clark Company, Inc. for the Multi-Modal Transportation Center.

Councilmember Jones moved adoption of the resolution. The motion was seconded by Councilmember Carmany.

Jim Westmoreland, Director of the Transportation Department, provided a presentation of the Greensboro Multi-Modal Transportation Center which detailed the history of the Depot, a project overview, expected benefits and the project schedule. He noted Phase I of the project was scheduled to begin July 2001 with completion in October 2002 and Phase II estimated construction Spring of 2003. (A copy of Mr. Westmoreland's presentation is filed with the above resolution and is hereby referred to and made a part of these minutes.)

Council discussed with Mr. Westmoreland the construction schedule for the project, the cost for the two phases, and funding sources for the Multi-modal Center. Mr. Westmoreland and Mitchell Johnson, Assistant City Manager, spoke to the financial situation and funding of the project.

Councilmember Jones left the Chamber at 8:14 p.m. during the above discussion.

A motion and second to adopt the resolution was made earlier in the meeting; the resolution was thereupon adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones (in absentia as provided for by law), Perkins, Vaughan and Vaughan. Noes: Phillips.

**137-01 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2001-16 WITH JOHN S. CLARK COMPANY, INC. FOR THE MULTI-MODAL TRANSPORTATION CENTER**

WHEREAS, after due notice, bids have been received for the construction of the Multi-Modal Transportation Center;

WHEREAS, John S. Clark Company, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$8,698,784.00 as general contractor for Contract No. 2001-16, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by John S. Clark Company, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$3,925,438.00 from Account No. 566-4511-01.6013; \$1,200,000.00 from Account No. 566-4511-02.6013 and \$3,573,346.00 from Account No. 566-4512-01.6013.

(Signed) Earl Jones

.....

After Mayor Holliday introduced an Ordinance establishing Grant Project Budget for the Fiscal Year 2001 FTA Section 5309 Capital Assistance Program Grant, Councilmember Burroughs-White moved its adoption. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Jones (in absentia as provided for by law), Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-147 ORDINANCE ESTABLISHING GRANT PROJECT BUDGET FOR THE FISCAL YEAR 2001 FTA SECTION 5309 CAPITAL ASSISTANCE PROGRAM GRANT

Section 1. That the Grant Project Budget for the FY 2001 FTA Section 5309 Capital Assistance Program Grant be established for the life of the project as follows.

<u>Account</u>	<u>Description</u>	<u>Amount</u>
565-4545.6051	Licensed Vehicles	\$ 1,839,554
TOTAL		\$ 1,839,554

And, that the capital improvements be financed by the following revenue accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
565-4545-01.7000	Federal Grant	\$1,471,643
565-4545-01.7110	State Grant	\$ 183,955
565-4545-01.9564	Transfer to Federal and State	\$ 183,566
TOTAL		\$1,839,554

(Signed) Claudette Burroughs-White

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After the Manager advised there were two addendum items for Council's consideration, Councilmember D. Vaughan introduced and moved adoption of an ordinance amending Chapter 17 of the Greensboro Code of Ordinances with respect to Nuisances. He stated this would strengthen the existing ordinance by increasing charges for code violations.

Councilmember Jones reentered the Chamber at 8:14 p.m. during the above discussion.

The motion was seconded by Councilmember Burroughs-White; the ordinance was adopted on the following roll call vote: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-148 AMENDMENT TO CHAPTER 17

AN ORDINANCE AMENDING CHAPTER 17 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO NUISANCES

Section 1. That Section 17-5 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Section 17-5(b) by adding the underlined portion:

(b) Upon completion of such removal and abatement, the director of ~~public works~~ **engineering and inspections** or his designated representative shall deliver to the city tax collector a statement showing the actual costs of the abatement of the unlawful condition plus an additional fee of ten (10) percent of the total cleanup costs with a minimum of one hundred dollars (\$100.00) to cover the cost of notice and costs of collection. **Provided, that should the abatement be the second, or subsequent, violation by the same owner at the same location within twelve calendar months the minimum additional fee shall be in an amount not less than five hundred dollars (\$500.00).** The city tax collector shall thereupon mail to the owner of the subject property a bill covering the cost, if with reasonable diligence the name and address of such owner can be ascertained, and the amount of the bill shall become a lien upon the property, and if not paid within thirty (30) days shall be collected as in the manner provided for the collection of delinquent taxes.

Section 2. That Section 17-5 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Section 17-58(g) by amending as follows:

(g) Whenever any such vehicle shall remain unsold for a period of ~~sixty (6)~~ **thirty (30)** days from and including the day when the same shall have been delivered under the direction of any municipal officer charged with the keeping or sale of the same, any such vehicle may be destroyed, removed or otherwise disposed of by such municipal officer.

Section 3. That all the laws and clauses of the laws in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall become effective immediately upon adoption.

(Signed) Donald R. Vaughan

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Mayor Holliday introduced a resolution authorizing Contract with the State of North Carolina for the Hazardous Materials Regional Response Team.

After a brief explanation by the Manager, Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

138-01 RESOLUTION AUTHORIZING CONTRACT WITH THE STATE OF NORTH CAROLINA FOR THE HAZARDOUS MATERIALS REGIONAL RESPONSE TEAM

WHEREAS, the City of Greensboro Fire Department entered into a contract with the State of North Carolina in October, 1999, to be one of six Hazardous Materials Regional Response Teams which is due to expire June 30, 2001;

WHEREAS, the State funding in the amount of \$52,000.00 per year for this Contract covers training, administrative costs, and medical and workers compensation as well as providing a tractor trailer response vehicle and equipment trailer for these emergencies;

WHEREAS, it is the desire of the Greensboro Fire Department to enter into a new Contract with the State for the Hazardous Materials Regional Response Team to be effective from July 1, 2001 through June 30, 2004.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Mayor and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract with the State of North Carolina for the Hazardous Materials Regional Response Team.

(Signed) Claudette Burroughs-White

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Kenneth Whitmire, residing at 3205 Alder Way and Godwin Willams, residing at 100 Whitestone Drive, spoke to the work and activities of Specialized Children's Care and requested Council to reconsider funding for the program.

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Richard Bowling, residing at 1806 Sharpe Road, detailed the work of Southeast Economic Development (SEEDS), spoke to the reduced funding recommended from the City, and commented about the manner in which his organization was directed to request funding from the Chamber of Commerce. Councilmember Jones questioned the use of the City's financial contribution to the Chamber and whether appropriate documentation was available for expenditures. The Manager advised appropriate documentation was available in audits of the Chamber.

The Mayor again stated that the funding for outside human services agencies had been frozen.

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Council discussed with Mr. Scott directions to staff at a recent budget workshop with respect to the desire to freeze funds for economic development and historic preservation. Robin Smith of the Budget and Evaluation Department, clarified for Council what was in the budget document at this time and detailed the specific amounts for agencies her department had removed from the human services funding. She advised this department had not addressed the removal of Community Development Block Grant (GDBG) funding from the budget.

After brief discussion, Councilmember D. Vaughan moved that the Magnolia House funding in the amount of \$75,000 be held and economic development funds be frozen based on the earlier motion. Councilmember Carmany seconded the motion.

Councilmember Phillips offered a substitute motion that the entire Community Resource Board (CRB) Funding Recommendations 2001-02 of \$175,000 (\$100,000-economic development and \$75,000-historic preservation) be held in abeyance until Council decided what they were going to do. The motion was seconded by Councilmember N. Vaughan; the motion was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

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Reid Binder, no address provided; and Valerie Rehtin, residing at 1512 Double Oaks Road; members of the CRB, expressed concern with Council's action to freeze funds for human service agency programs. They spoke to the work and purpose of the Board; expressed their personal thoughts with regard to the freezing of funding for human services; and stated that, in their opinion, this action would have a negative impact on agencies that provided much-needed services to citizens.

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Councilmember N. Vaughan stated that she had received citizens' complaints that Parks and Recreation Department staff would not allow children to play on certain fields because of the grass. Mitchell Johnson, Assistant City manager discussed with Council the process in place and restrictions involved with the use of ballfields and playgrounds in the City; i.e., passes to use areas at a specific time, rationale for implementing certain restrictions on some fields, whether fields were available to County residents, etc. Assistant City Manager Johnson advised detailed information would be provided to Council.

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Councilmember Burroughs-White moved that Joseph Daniels, II be appointed to serve a term on the Community Television Board in the position formerly held by Maureen Hartigan; this term will expire 1 July 02. The motion was seconded by Councilmember N. Vaughan and adopted unanimously by voice vote of Council.

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Councilmember Carmany added the name of Sandra Ziglar to the boards and commissions data bank for consideration for future service.

Councilmember Carmany stated she had received information that two former fraternities were seeking status as private dormitories. Council discussed with staff the fact that dorms were not required to comply with the ordinance requiring sprinkler systems for fraternities/sororities and expressed concern that this appeared to be a loophole in the law. Council requested the City Attorney to investigate this matter and provide to Council recommendations for actions that could be taken to address this matter.

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Council discussed various meetings and events of interest to the community with respect to comprehensive planning, a traffic vision statement regarding corridors into the City, and the impact the UNCG expansion would have on the Westerwood Neighborhood.

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Councilmember Burroughs-White added the names of Charles D. Folds, Thomas Spencer Hill, III, Mark A. Taylor, Perry Howard and Denise M. Poulos to the board and commissions data bank for consideration for future service on the Advisory Commission on Trees.

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The Mayor advised that the process to offer enhanced Closed Captioning services should result in those services being provided for the July 17 meeting.

Mayor Holliday advised the July 3 meeting had been cancelled.

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The City Manager advised an invitation to attend the July UNCG Master Plan presentation would be forthcoming to Council.

The City Manager commended Larry Davis, Budget and Evaluation Department Director, and his staff for their excellent work in preparing the 2001-02 Annual Budget.

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Councilmember Carmany moved that the City Council adjourn to meet in Closed Session for the purpose of discussing the Children's Home Society of North Carolina. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED TO MEET IN CLOSED SESSION AT 9:30 P.M.

JUANITA F. COOPER  
CITY CLERK

KEITH A. HOLLIDAY  
MAYOR

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